

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ANGELA V. SMITH,

Case No.: 2:20-cv-00710-APG-VCF

Plaintiff

Order Accepting Report and Recommendation and Dismissing Case

V.

ANDREW SAUL,

Defendant

[ECF No. 52]

On September 28, 2021, Magistrate Judge Ferenbach recommended that I dismiss this case because plaintiff Angela Smith failed to appear for two court hearings, failed to respond to her show cause, and has not made an appearance in the case since June 15, 2021. ECF No. 113. Smith did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the report or specified proposed findings to which objection is filed”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the magistrate judge must review the magistrate judge’s findings and recommendations de novo if an objection is made, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Judge Ferenbach's report and recommendation (ECF No. 52) is accepted and plaintiff Angela Smith's complaint (ECF No. 4) is dismissed with prejudice for failure to comply with court orders and failure to prosecute. The clerk of court is instructed to enter judgment accordingly and to close this case.

DATED this 22nd day of October, 2021.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE